REMARKS

1. Summary of Office Action

In the Office Action mailed August 20, 2008, claims 1-5 and 8-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,068,599 (Jiang). Furthermore, claims 6-7 stand rejected under 35 U.S.C. § 103(a) as being obvious over Jiang in view of U.S. Patent No. 7,213,076 (Bodin). Additionally, the Office Action raised objections to the specification, for containing an embedded hyperlink and improperly-distinguished trademarks, and to Figures 12, 16-23, and 28 of the drawings, for being informal.

2. Status of the Claims

Claims 1-21 are pending in this application. Claims 1, 11, and 17 are independent, and the remainder are dependent.

3. Amendments to the Specification

Applicants have amended the specification to remove embedded hyperlinks and to properly distinguish trademarks.

4. Replacements for the Drawings

Figures 12, 16-23, and 28 have been replaced with formal drawings. A number the original figures have been split into multiple figures for sake of clarity. No new matter has been added. Please refer to the attached replacement drawings for details.

5. Response to 102(e) Rejections

As stated above, claims 1-5 and 8-21 stand rejected as anticipated by Jiang. However, Jiang does not teach each and every element recited in any of independent claims 1, 11, and 17.

Generally speaking, Jiang is directed to a wireless network architecture in which a mobile device accesses data services via a proxy server. *Jiang, col. 1, lines 42-49.* The proxy server

performs content reduction (e.g., image resolution reduction) based on the extent of wireless bandwidth that is available to the mobile device and the capabilities of the mobile device. *Jiang, col. 1, lines 42-49, col. 3, lines 10-20, col. 3, lines 30-32.*

a. Claim 1

Independent claim 1 recites, *inter alia*, the elements of (a) "determining a pre-set transformation mode associated with the wireless communication link," and (b) "based on the efficiency with which the client device can process the information content in the first and second data formats, the transmission capabilities of the wireless communication link, and the pre-set transformation mode associated with the wireless communication link, determining whether to transform the information content at the server from the first data format to the second data format." The Office Action asserts that Jiang at col. 3, lines 21-40 teaches these elements. Applicants submit that this assertion is incorrect.

Jiang does not disclose the element of determining a pre-set transformation mode associated with the wireless communication link. Applicants' specification at page 90, lines 9-18, describes the pre-set transformation mode as based on user settings. "[C]laims must be read in view of the specification, of which they are a part." *Phillips v. AWH Corp.*, 415 F.3d 1303, 1315 (Fed. Cir. 2005) (internal quotation omitted). Thus, the cited section of Applicants' specification should be considered when interpreting the scope of the term "pre-set transformation mode."

Jiang does not disclose a pre-set transformation mode based on user settings. If anything, Jiang teaches away from using a pre-set transformation mode, as Jiang advocates dynamically adjusting the degree of data transmission at the proxy server. *Jiang, col. 3, lines 30-32 ("The degree of data compression should be selected to meet the radio bandwidth available to the*

receiving terminal and its capabilities."); Jiang, col. 3, lines 53-54 ("Having proxies that dynamically adjust operation based on network conditions is advantageous . . ."). Thus, Jiang does not anticipate this claim element.

Similarly, Jiang does not disclose the element of, based on the efficiency with which the client device can process the information content in the first and second data formats, the transmission capabilities of the wireless communication link, and the pre-set transformation mode associated with the wireless communication link, determining whether to transform the information content at the server from the first data format to the second data format. As discussed above, Jiang does not disclose a pre-set transformation mode. Thus, Jiang does not teach determining whether to transform information content based on a pre-set transformation mode. Accordingly, Jiang does not anticipate this claim element.

Since Jiang does not teach each and every element of independent claim 1, Applicants submit that this claim is allowable over the cited art. Furthermore, without conceding any assertion in the Office Action regarding dependent claims 2-10, Applicants submit that dependent claims 2-10 are also allowable for at least the reason that they depend from an allowable claim.

b.   Claim 11

Independent claim 11 recites, *inter alia*, the elements of (a) "based on the transmission capabilities, determining whether to send the information content to the client device using a proxy server mode or a proxyless mode," and (b) "switching between sending the information content to the client device using the proxy server mode or the proxyless mode." The Office Action asserts that Jiang, at col. 3, lines 46-47 and at col. 4, lines 62-65, teaches these elements. Applicants submit that this assertion is incorrect.

Jiang does not teach a client device operating in a proxyless mode, or switching between a proxy server mode and a proxyless mode. Instead, Jiang teaches a proxy server determining, based on network conditions, whether to compress images being sent to a mobile terminal. *See, e.g., Jiang col. 3, lines 35-40.*

Since Jiang does not teach each and every element of independent claim 11, Applicants submit that this claim is allowable over Jiang. Furthermore, without conceding any assertion in the Office Action regarding dependent claims 12-16, Applicants submit that dependent claims 12-16 are also allowable for at least the reason that they depend from an allowable claim.

c.   Claim 17

Independent claim 17 recites, *inter alia*, the elements of (a) "determining an efficiency with which the client device can process information content when the information content is stored in a first data format and when the information content is stored in a second data format," (b) "determining an efficiency with which the server can process the information content when the information content is stored in the first data format and when the information content is stored in the second data format," and (c) "based on (i) the efficiency with which the client device can process the information content when stored in the first data format and the second data format, (ii) the efficiency with which the server can process the information content when stored in the first data format and the second data format, and (iii) the transmission capabilities of the wireless communication link used to send the information content from the server to the client device, determining whether to send the information content from the server to the client device in the first data format or the second data format." The Office Action asserts that Jiang, at col. 3, lines 21-52, teaches these elements. Applicants submit that this assertion is incorrect.

Jiang at col. 3, lines 21-52 discloses reducing image quality in a proxy server based on network conditions and device capabilites. However, Jiang does not teach determining client and server processing efficiencies with respect to a first data format and a second data format. Furthermore, Jiang does not disclose making a determination whether to send data in a first data format or a second data format based on these processing efficiencies. In particular, Jiang does not even discuss the notion of processing efficiencies at client and server devices.

Since Jiang does not teach each and every element of independent claim 17, Applicants submit that this claim is allowable over Jiang. Furthermore, without conceding any assertion in the Office Action regarding dependent claims 18-21, Applicants submit that dependent claims 18-21 are also allowable for at least the reason that they depend from an allowable claim.

6.   Response to 103(a) Rejections

As discussed above, claims 6-7 stand rejected under 35 U.S.C. § 103(a) as being obvious over Jiang in view of Bodin. Bodin was cited for disclosing an 802.11(b) wireless network. However, Bodin fails to make up for the shortcomings of Jiang as set forth above. Thus, the combination of Jiang and Bodin does not provide a *prima facie* case of obviousness of claim 1. Consequently, at leas for these reasons, claim 1 is allowable over Jiang and Bodin, and dependent claims 6 and 7 are also allowable.

7.   Conclusion

In view of the foregoing, Applicants respectfully request favorable reconsideration and allowance of all pending claims.   Should the Examiner wish to discuss this case with the undersigned, the Examiner is invited to call the undersigned at (312) 913-3361.

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Respectfully Submitted,

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